

THE
CHARTER

Granted by their MAJESTIES

King WILLIAM

AND

Queen MARY,

TO THE

INHABITANTS

OF THE

PROVINCE

OF THE

Massachusetts-Bay,

IN

NEW-ENGLAND.

LONDON,

Printed in the Year 1692.

CHAPTER

OF THE
MATERIALS

OF THE
ART

OF THE
ART

OF THE
ART

OF THE

OF THE
ART

OF THE
ART

OF THE
ART

OF THE
ART

*The CHARTER granted by their Majesties
King William and Queen Mary, &c.*



WILLIAM and MARY, by the Grace of God of *England, Scotland, France, and Ireland*, King and Queen, Defenders of the Faith, &c. To all to whom these Presents shall come Greeting. Whereas his late Majesty King *James the First*, Our Royal Predecessor, by his Letters Patents under the Great Seal of *England*, bearing Date at *Westminster* the Third day of *November*, in the Eighteenth Year of his Reign, did give and grant unto the Council Established at *Plymouth* in the County of *Devon*, for the Planting, Ruling, Ordering and Governing of *New-England* in *America*, and to their Successors and Assigns, all that part of *America* lying and being in breadth from forty Degrees of Northerly Latitude from the Equinoctial Line to the forty eighth Degree of the said Northerly Latitude, inclusively, and in length of and within all the Breadth aforesaid throughout all the main Lands, from Sea to Sea, together also with all the firm Lands, Soils, Grounds, Havens, Ports, Rivers, Waters, Fishings, Mines and Minerals, as well Royal Mines of Gold and Silver, as other Mines and Minerals, Pretious Stones, Quarries, and all and singular other Commodities, Jurisdictions, Royalties, Priviledges, Franchises and Preheminenes, both within the said Tract of Land upon the Main, and also within the Islands and Seas adjoyning : Provided always that the said Lands, Islands, or any the Premises by the said Letters Patents intended and meant to be granted, were not then actually possessed or inhabited by any other Christian Prince or State, or within the Bounds, Limits or Territories of the Southern Collony, then before granted by the said late King *James the first*, to be planted by divers of his Subjects in the South parts : To have and to hold, possess and enjoy, all and singular the aforesaid Continent Lands, Territories, Islands, Hereditaments and Precincts, Seas, Waters, Fishings withall ; and all manner of their Commodities, Royalties, Liberties, Preheminenes and Profits that should from thenceforth arise from thence, with all and singular their Appurtenances, and every part and parcel thereof, unto the said Council, and their Successors and Assigns for ever, to the sole and proper Use and Benefit of the said Council, and their Successors and Assigns for ever : To be holden of his said late Majesty King *James the first*, his Heirs and Successors, as of his Mannor of *East Greenwich* in the County of *Kent*, in free and Common Sockage, and not in *Capite*, nor by Knights Service : Yielding and Paying therefore to the said late King, his Heirs and Successors, the fifth part of the Oar of Gold and Silver, which should from time to time, and at all times then after happen to be found, gotten, had and obtained, in, at, or within any of the said Lands, Limits, Territories or Precincts, or in, or within any part or parcel thereof, for or in respect of all and all manner of Duties, Demands and Services whatsoever, to be done, made or paid to the said late King *James the first*, his Heirs and Successors (as in and by the said Letters Pattents, amongst sundry other Clauses, Powers, Priviledges and Grants therein contained, more at large appeareth :) and whereas the said Council Established at *Plymouth* in the County of *Devon*, for the Planting, Ruling, Ordering and Governing of *New-England* in *America*, did by their Deed indented under their Common Seal, bearing date the Nineteenth Day of *March*, in the Third Year of the Reign of Our Royal Grandfather King *Charles the First*, of ever Blessed Memory, Give, Grant, Bargain, Sell, Infeoff, Alien and Confirm to Sir *Henry Rosewell*, Sir *John Young*, Knights, *Thomas Southcott*, *John Humphreys*, *John Endicott* and *Symond Whetcombe*, their Heirs and Assigns, and their Associates, for ever, all that part of *New-England* in *America* aforesaid, which lyes and extends between a great River there, commonly called *Monomack* alias *Merinnack*, and a certain other River there called *Charles River*, be-
ing

ing in a bottom of a certain Bay there commonly called *Massachusetts*, alias *Mattachusetts*, alias *Massachusetts Bay*, and also all and singular those Lands and Hereditaments whatsoever, lying within the space of three *English Miles*, on the South part of the said *Charles River*, or of any and every part thereof; and also all and singular the Lands and Hereditaments whatsoever, lying and being within the space of three *English Miles* to the Southward of the southermost part of the said Bay called *Massachusetts*, alias *Mattachusetts*, alias *Massachusetts Bay*; and also all those Lands and Hereditaments whatsoever which lye and be within the space of three *English Miles* to the Northward of the said River called *Monomack* alias *Merinack*, or to the Northward of any and every part thereof, and all Lands and Hereditaments whatsoever lying within the Limits aforesaid, North and South in Latitude, and in Breadth, and in Length, and Longitude, of and within all the breadth aforesaid throughout the Main Lands there, from the *Atlantic* and Western Sea and Ocean on the East part to the South Sea on the West part, and all Lands and Grounds, Place and Places, Soil, Woods and Wood-grounds, Havens, Ports, Rivers, Waters, Fishings and Hereditaments whatsoever, lying within the said bounds and limits, and every part and parcel thereof; and also all Islands lying in *America* aforesaid, in the said Seas, or either of them on the Western or Eastern Coasts or Parts of the said Tracts of Land, by the said Indenture mentioned to be given and granted, bargained, sold, enfeoffed, alien'd and confirmed, or any of them; and also all Mines and Minerals, as well Royal Mines of Gold and Silver as other Mines and Minerals whatsoever in the said Lands and Premises, or any part thereof, and all Jurisdictions, Rights, Royalties, Liberties, Freedoms, Immunities, Priviledges, Franchises, Preheminencies and Commodities whatsoever, which they the said Council Established at *Plymouth* in the County of *Devon*, for the Planting, Ruling, Ordering and Governing of *New-England* in *America*, then had, or might use, exercise or enjoy, in or within the said Lands or Premises, by the same Indenture mentioned to be given, granted, bargained, sold, enfeoffed and confirmed, in or within any part or parcel thereof: To have and to hold the said part of *New-England* in *America*, which lyes and extends, and is abutted as aforesaid, and every part and parcel thereof; and all the said Islands, Rivers, Ports, Havens, Waters, Fishings, Mines, Minerals, Jurisdictions, Franchises, Royalties, Liberties, Priviledges, Commodities, Hereditaments and Premises whatsoever, with the Appurtenances, unto the said Sir *Henry Roswell*, Sir *John Young*, *Thomas Southcott*, *John Humphrey*, *John Endicott* and *Simon Whetcombe*, their Heirs and Assigns, and their Associates for ever, to the only proper and absolute use and behoof of the said Sir *Henry Roswell*, Sir *John Young*, *Thomas Southcott*, *John Humphreys*, *John Endicott* and *Symond Whetcombe*, their Heirs and Assigns and their Associates for evermore: To be holden of our said Royal Grandfather King *Charles* the First, his Heirs and Successors, as of his Manor of *East-Greenwich* in the County of *Kent*, in free and common Sockage, and not in *Capite* nor by Knights Service, yielding and paying therefore unto our said Royal Grandfather, his Heirs and Successors, the fifth part of the Oar of Gold and Silver which should from time to time, and at all times hereafter happen to be found, gotten, had and obtained in any of the said Lands, within the said Limits, or in or within any part thereof, for and in satisfaction of all manner of Duties, Demands and Services whatsoever, to be done, made or paid to Our said Royal Grandfather, his Heirs or Successors (as in and by the said recited Indenture may more at large appear.) And Whereas Our said Royal Grandfather in and by his Letters Patents under the Great Seal of *England*, bearing date at *Westminster* the fourth day of *March*, in the fourth Year of his Reign, for the Consideration therein mentioned, did grant and confirm unto the said Sir *Henry Roswell*, Sir *John Young*, *Thomas Southcott*, *John Humphreys*, *John Endicott* and *Symond Whetcomb*, and to their Associates after named, viz. Sir *Ralph Saltenstall* Knight, *Isaac Johnson*, *Samuel Aldersey*, *John Ven*, *Matthew Craddock*, *George Harwood*, *Increase Nowell*, *Richard Perry*, *Richard Bellingham*, *Nathanael Wright*, *Samuel Vassall*, *Theophilus Eaton*, *Thomas Golfe*, *Thomas Adams*, *John Brown*, *Samuel Brown*, *Thomas Hutchins*, *William Vassall*, *William Pincheon* and *George Foxcroft*, their Heirs and Assigns, all the said part of *New-England* in *America*, lying and extending between the Bounds and Limits

Limits in the said Indenture expressed, and all Lands and Grounds, Place and Places, Soils, Woods and Wood-grounds, Havens, Ports, Rivers, Waters, Mines, Minerals, Jurisdictions, Rights, Royalties, Liberties, Freedoms, Immunities, Priviledges, Franchises, Preheminencies and Hereditaments whatsoever; bargained, sold, enfeoffed and confirmed, or mentioned or intended to be given, granted, bargained, sold, enfeoffed, aliened and confirmed to them the said Sir Henry Roswell, Sir John Young, Thomas Southcott, John Humphreys, John Endicott and Symond Whetcombe, their Heirs and Assigns, and to their Associates for ever, by the said recited Indenture: To have and to hold the said part of New-England in America, and other the Premises thereby mentioned to be granted and confirmed, and every part and parcel thereof, with the appurtenances, to the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott, John Humphrys, John Endicott, Symond Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Golfe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pincheon and George Foxcroft, their Heirs and Assigns for ever, to their only proper and absolute use and behoof for evermore: To be holden of our said Royal Grandfather, his Heirs and Successors, as of his Mannor of East-Greenwich aforesaid, in free and common Sockage, and not in Capite nor by Knights Service; and also yielding and paying therefore to Our said Royal Grandfather, his Heirs and Successors, the fifth part only of all the Oar of Gold and Silver which from time to time, and at all times after should be there gotten, had or obtained, for all Services, Exactions and Demands whatsoever, according to the Tenor and Reservation in the said recited Indenture expressed. And further, Our said Royal Grandfather by the said Letters Patents did give and grant unto the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott, John Humphreys, John Endicott, Symond Whetcomb, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathanael Wright, Samuel Vassall, William Pincheon and George Foxcroft, their Heirs and Assigns, all that said part of New-England in America, which lyes and extends between a great River there, commonly called Monomack, alias Merinack River, and a certain other River there called Charles River, being in the bottom of a certain Bay there commonly called Massachusetts, alias Mattachusetts, alias Massatusetts Bay; and also all and singular those Lands and Hereditaments whatsoever, lying within the space of three English Miles, on the South part of the said River, called Charles River, or of any or every part thereof; and also all and singular the Lands and Hereditaments whatsoever, lying and being within the space of three English Miles to the Southward of the southernmost part of the said Bay called Massachusetts, alias Mattachusetts, alias Massatusetts Bay; and also all those Lands and Hereditaments whatsoever which lye and be within the space of three English Miles to the Northward of the said River called Monomack alias Merinack, or to the Northward of any and every part thereof, and all Lands and Hereditaments whatsoever lying within the Limits aforesaid, North and South in Latitude, and in Breadth, and in Length and Longitude, of and within all the breadth aforesaid throughout the Main Lands there, from the Atlantick or Western Sea and Ocean on the East part, to the South Sea on the West part; and all Lands, Grounds, Place and Places, Soils, Woods and Wood-lands, Havens, Ports, Rivers, Waters and Hereditaments whatsoever, lying within the said Bounds and Limits, and every part and parcel thereof; and also all Islands in America aforesaid, in the said Seas, or either of them on the Western or Eastern Coasts or Parts of the said Tracts of Lands, thereby mentioned to be given and granted, or any of them; and all Mines and Minerals, as well Royal Mines of Gold and Silver as other Mines and Minerals whatsoever in the said Lands and Premises, or any part thereof; and free Liberty of Fishing in or within any of the Rivers or Waters within the bounds and limits aforesaid, and the Seas thereunto adjoining; and all Fishes, Royal Fishes, Whales, Balene, Sturgeon, and other Fishes of what kind or Nature soever, that should at any time thereafter be taken in or within the said Seas or Waters, or any of them, by the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott,

John Humphreys, John Endicott, Symon Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Golfe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pincheon and George Foxcroft, their Heirs or Assigns, or by any other Person or Persons whatsoever there inhabiting, by them or any of them to be appointed to Fish therein. Provided alwayes, that if the said Lands, Islands, or any the Premises before mentioned, and by the said Letters Patents last mentioned, intended and meant to be granted, were at the time of the granting of the said former Letters Patents, Dated the third day of November, in the Eighteenth Year of the Reign of his late Majesty King James the First, actually possessed or inhabited by any other Christian Prince or State, or were within the Bounds, Limits or Territories of the said Southern Collony then before granted by the said King, to be Planted by divers of his loving Subjects in the South parts of America, That then the said Grant of our said Royal Grandfather should not extend to any such parts or parcels thereof so formerly inhabited, or lying within the bounds of the Southern Plantation as aforesaid. But as to those Parts or Parcels so possessed or inhabited by any such Christian Prince or State, or being within the boundaries aforesaid, should be utterly void: To have and to hold, possess and enjoy the said parts of New-England in America, which lye, extend, and are abuttet as aforesaid, and every part and parcel thereof; and all the Islands, Rivers, Ports, Havens, Waters, Fishings, Fishes, Mines, Minerals, Jurisdictions, Franchises, Royalties, Liberties, Priviledges, Commodities and Premises whatsoever, with the Appurtenances, unto the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott, John Humphrys, John Endicott, Symond Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathanael Wright, Samuel Vassall, Theophilus Eaton, Thomas Golfe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pincheon and George Foxcroft, their Heirs and Assigns, for ever. To the only proper and absolute use and behoof of the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott, John Humphrys, John Endicott, Symond Whetcomb, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathaniel Wright, Samuel Vassall, Theophilus Eaton, Thomas Golfe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pincheon and George Foxcroft, their Heirs and Assigns for evermore: To be holden of Our said Royal Grandfather, his Heirs and Successors, as of his Mannor of East-Greenwich in the County of Kent, within the Realm of England, in free and common Sockage, and not in Capite nor by Knights Service: And also yielding and paying therefore to Our said Royal Grandfather, his Heirs and Successors, the fifth part only of all the Oar of Gold and Silver which from time to time, and at all times hereafter, should be gotten, had or obtained for all Services, Exactions and Demands whatsoever. Provided alwayes, and his Majesties exprefs Will and meaning was, that only one fifth part of all the Gold and Silver Oar above mentioned in the whole, and no more should be answered, reserved or payable unto our said Royal Grandfather, his Heirs and Successors, by Colour or Vertue of the said last mentioned Letters Patents, the double Reservations or Recitals aforesaid, any thing therein contained notwithstanding. And to the end that the Affairs and Business which from time to time should happen and arise concerning the said Lands, and the Plantations of the same, might be the better Managed and Ordered, and for the good Government thereof, our said Royal Grandfather King Charles the First, did by his said Letters Patents Create and make the said Sir Henry Roswell, Sir John Young, Sir Richard Saltenstall, Thomas Southcott, John Humphrys, John Endicott, Symond Whetcombe, Isaac Johnson, Samuel Aldersey, John Ven, Matthew Craddock, George Harwood, Increase Nowell, Richard Perry, Richard Bellingham, Nathanael Wright, Samuel Vassall and Theophilus Eaton, Thomas Golfe, Thomas Adams, John Brown, Samuel Brown, Thomas Hutchins, William Vassall, William Pincheon and George Foxcroft, and all such others as should thereafter be admitted and made free of the Company and Society therein after mentioned, one Body Corporate and Politique in Fact and Name, by the

the Name of the Governour and Company of *Massachusetts-Bay* in *New-England*, and did grant unto them and their Successors divers Powers, Liberties and Priviledges, as in and by the said Letters Patents may more fully and at large appear. And Whereas the said Governour and Society of the *Massachusetts-Bay* in *New-England*, by Vertue of the said Letters Patents did settle a Collony of the *English* in the said parts of *America*, and divers good Subjects of this Kingdom, encouraged and invited by the said Letters Patents did Transport themselves and their Effects into the same, whereby the said Plantation did become very populous, and divers Counties, Towns and Places, were Created, Erected, Named and set forth, or designed within the said parts of *America*, by the said Governour and Company for the time being : And Whereas in the Term of the *Holy Trinity*, in the thirty sixth Year of the Reign of our Dearest Uncle King *Charles* the Second, a Judgment was given in Our Court of *Chancery* then sitting at *Westminster*, upon a Writ of *Scire facias*, brought and prosecuted in the said Court against the Governour and Company of the *Massachusetts Bay* in *New-England*, that the said Letters Patents of our said Royal Grandfather King *Charles* the First, bearing date at *Westminster* the 4th. day of *March*, in the fourth Year of his Reign, made and granted to the said Governour and Company of the *Massachusetts Bay* in *New-England*, and the Enrollment of the same, should be cancelled, vacated and annihilated, and should be brought into the said Court to be cancelled, (as in and by the said Judgment remaining upon Record in the said Court doth more at large appear :) And whereas several Persons employed as Agents in behalf of our said Colony of the *Massachusetts Bay* in *New-England*, have made their humble Application unto us, That we would be graciously pleased by our Royal Charter to Incorporate our Subjects in our said Colony, and to grant and confirm unto them such powers, priviledges and Franchizes as in our *Royal Wisdom* should be thought most Conducing to our Interest and Service, and to the Welfare and happy State of our Subjects in *New-England*: And We being graciously pleased to gratifie our said Subjects, and also to the end our good Subjects within our Colony of *New-Plymouth* in *New-England* aforesaid, may be brought under such a form of Government, as may put them in a better Condition of Defence, and considering as well the Granting unto them as unto our Subjects in the said Colony of the *Massachusetts Bay* our Royal Charter, with reasonable Powers and Priviledges, will much tend not only to the safety, but to the flourishing Estate of our Subjects in the said parts of *New-England*, and also to the advancing of the Ends for which the said Plantation were at first Encouraged ; of our Special Grace, certain Knowledge, and meer Motion, have Willed and Ordained, and We do by these presents for us, our Heirs and Successors will and Ordain, That the Territories and Colonies commonly called or known by the Names of the Colony of the *Massachusetts Bay*, and Colony of *New Plymouth*, the Province of *Main*, the Territory called *Accada*, or *Nova Scotia* ; And all that Tract of Land lying between the said Territories of *Nova Scotia*, and the said Province of *Main*, be united, Erected and Incorporated: And we do by these presents unite, Erect and Incorporate the same into one Real Province by the Name of Our Province of the *Massachusetts Bay* in *New-England*; and of our Especial Grace, certain knowledge, and meer motion, we have given and granted, and by these presents, for Us, our Heirs and Successors, do give and grant unto our good Subjects, the Inhabitants of our said Province or Territory of the *Massachusetts Bay*, and their Successors, all that part of *New-England* in *America*, lying and extending from the great River commonly called *Monomack*, alias *Merrimack*, on the North part, and from three miles Northward of the said River to the *Atlantick* or Western Sea or Ocean on the South part, and all the Lands and Hereditaments whatsoever lying within the Limits aforesaid, and Extending as far as the outermost points or Promontories of Land called *Cape-Cod*, and *Cape-Mallabar* North and South, and in Latitude, breadth, and in length and Longitude, of and within all the breadth and Compass aforesaid throughout the main Land there, from the said *Atlantick* or Western Sea and Ocean on the East part towards the South Sea, or Westward as far as our Colonies of *Rhode Island*, *Connecticut*, and the *Narragansett* Countrey: And also

The first Charter vacated by a Judgment in *Chancery*, Anno 1684.

The Agents of that Colony Petitioned to be reincorporated as formerly.

The *Massachusetts*, *Plymouth*, and the Province of *Main*, *Nova Scotia*, be united and made one Province.

The Extent and Bounds of that Province.

all that part and portion of main Land, beginning at the entrance of *Piscataway Harbour*, and so to pass up the same into the River of *Newickwannock*, and through the same into the furthest head thereof, and from thence North-westward, till one hundred and twenty miles be finished, and from *Piscataway Harbour* mouth aforesaid Northeastward along the Sea Coast to *Sagadahock*, and from the period of one hundred and twenty miles aforesaid to cross over land to the one hundred and twenty miles before reckoned up into the land from *Piscataway Harbour* through *Newickwannock River*, and also the North-half of the Isles of *Shoals*, together with the Isles of *Capawock* and *Nantukett* near *Cape-Cod* aforesaid, and also the Lands and Hereditaments lying and being in the Countrey or Territory commonly called *Accada*, or *Nova Scotia*, and all those Lands and Hereditaments lying and extending between the said Countrey or Territory of *Nova Scotia*, and the said River of *Sagadahock*, or any part thereof; and all Lands, Grounds, Places, Soyls, Woods and Wood-grounds, Havens, Ports, Rivers, Waters, and other Hereditaments and Premises whatsoever lying within the said Bounds and Limits aforesaid, and every part and parcel thereof: And also all Islands and Isles lying within Ten Leagues directly opposite to the Main-Land within the said Bounds: And all Mines and Minerals, as well Royal Mines of Gold and Silver, as other Mines and Minerals whatsoever in the said Lands and Premises, or any part thereof. *To have and to hold*, the said Territories, Tracts, Countreys, Lands, Hereditaments; and all and singular other the Premises, with their and every of their Appurtenants to our said Subjects the Inhabitants of our said Province of the *Massachusetts Bay* in *New-England*, and their Successors, to their only proper Use and Behoof for evermore, *To be holden* of Us, our Heirs and Successors, as of our Mannour of *East-Greenwich*, in the County of *Kent*, by Fealty only in free and common Socage: Yielding and paying therefore yearly to Us, our Heirs and Successors, the Fifth part of all Gold and Silver Oar, and Precious-Stones which shall from time to time, and at all times hereafter, happen to be found, gotten, had and obtained in any of the said Lands and Premises, or within any part thereof. *Provided* nevertheless, and we do for Us, our Heirs and Successors, grant and ordain, that all and every such Lands, Tenements and Hereditaments, and other Estates, which any Person or Persons, or Bodies Politick, or Corporate, Towns, Villages, Colledges or Schools, do hold and enjoy, or ought to have, hold and enjoy, within the Bounds aforesaid, by or under any Grant or Estate duely made or granted by any General Court formerly held, or by virtue of the Letters Patents herein before recited, or by any other Lawful Right or Title whatsoever, shall be by such Person or Persons, Bodies Politick and Corporate, Towns, Villages, Colledges, or Schools, their respective Heirs, Successors and Assigns for ever, hereafter held and enjoyed, according to the purport and intent of such respective Grant, under and subject nevertheless to the Rents and Services thereby reserved or made payable, any matter or thing whatsoever to the contrary notwithstanding. *And provided also*, That nothing herein contained shall extend, or be understood or taken, to impeach or prejudice any Right, Title, Interest or Demand, which *Samuel Allen* of *London*, Merchant, from and under *John Mason*, Esq; deceased, or any other Person or Persons, hath or have, or claimeth, or claim to have, hold or enjoy, of, into, or out of any part or parts of the Premises situate within the Limits above-mentioned: But that the said *Samuel Allen*, and all and every such person and persons, may and shall have, hold and enjoy the same in such manner, (and no other than) as if these Presents had not been had or made. It being our further Will and Pleasure, That no Grants, or Conveyances of any Lands, Tenements or Hereditaments to any Towns, Colledges, Schools of Learning, or to any private Person or Persons, shall be judged or taken, to be avoided or prejudiced, for, or by reason of any want or defect of Form, but that the same stand and remain in force, and be maintained and adjudged, and have effect in such manner as the same should or ought before the time of the said recited Judgment, according to the Laws and Rules then and there usually practised and allowed. *And we do further*, for Us, our Heirs and Successors, Will, Establish and Ordain, That from thenceforth for ever there shall be One Governour; One Lieutenant, or Deputy-Governour; and One Secretary of

All Mines and Minerals granted to the Inhabitants and their Successors.

All Lands, Hereditaments, &c. formerly granted to any Town, Colledge, or School of Learning, confirmed.

The Governours Council to Consist of 28 Assistants.

our

our said Province or Territory, to be from time to time appointed and commissioned by Us, our Heirs and Successors; and Eight and twenty Assistants, or Councillors, to be advising and assisting to the Governour of our said Province or Territory for the time being, as by these Presents is hereafter directed and appointed: Which said Councillors or Assistants are to be constituted, elected and chosen in such form and manner as hereafter in these Presents is expressed. And for the better Execution of our Royal Pleasure and Grant in this behalf, We do by these Presents, for Us, our Heirs and Successors, nominate, ordain, make and constitute our Trusty and Well-beloved *Simon Broadstreet, John Richards, Nathanael Saltenstall, Wait Winthrop, John Philips, James Russell, Sammel Sewall, Samuel Appleton, Bartholomew Gedney, John Hawthorn, Elisha Hutchinson, Robert Pike, Jonathan Curwin, John Jolliffe, Adam Winthrop, Richard Middlecot, John Foster, Peter Serjeant, Joseph Lynd, Samuel Heyman, Stephen Mason, Thomas Hinkley, William Bradford, John Walley, Barnabas Lothrop, Job Alcot, Samuel Daniel, and Silvanus Davis, Esq;* the first and present Councillors or Assistants of our said Province, to continue in their said respective Offices or Trusts of Councillors or Assistants until the last *Wednesday* in *May*, which shall be in the Year of our Lord, 1693. and until other Councillors or Assistants shall be chosen and appointed in their stead, in such manner as in these Presents is expressed. And we do further by these Presents constitute and appoint our trusty and well-beloved *Isaac Addington, Esq;* to be our first and present Secretary of our said Province, during our pleasure. And our Will and Pleasure is, That the Governour of our said Province for the time being, shall have Authority, from time to time, at his Discretion, to assemble and call together the Councillors or Assistants of our said Province for the time being: And that the said Governour, with the said Assistants or Councillors, or seven of them at the least, shall, and may from time to time hold and keep a Council for the ordering and directing the Affairs of our said Province. And further, We will, and by these Presents for Us, our Heirs and Successors, do Ordain and Grant, that there shall and may be convened, held and kept by the Governour for the time being, upon every last *Wednesday* in the Month of *May*, every Year, for ever, and at such other times as the Governour of our said Province shall think fit, and appoint, a Great and General Court or Assembly; which said Great General Court or Assembly shall consist of the Governour and Council or Assistants for the time being, and of such Free-holders of our said Province or Territory, as shall be from time to time elected or deputed by the major part of the Free-holders, and other Inhabitants of the respective Towns or Places who shall be present at such Elections, each of the said Towns and Places being hereby empowered to elect and depute Two Persons and no more to serve for and represent them respectively in the said Great and General Court or Assembly. To which Great and General Court or Assembly to be held as aforesaid, We do hereby, for Us, our Heirs and Successors, give and grant full Power and Authority from time to time to direct, appoint and declare what number each County, Town and Place shall elect and depute to serve for, and represent them respectively in the said Great and General Court or Assembly. Provided always, that no Free-holder, or other person, shall have a Vote in the Election of Members to serve in any Great and General Court or Assembly to be held as aforesaid, who at the time of such Election shall not have an Estate of Free-hold in Land within our said Province or Territory, to the value of Forty Shillings *per Ann.* at the least; or other Estate to the value of Fifty Pounds sterling: And that every Person who shall be so elected, shall, before he Sit or Act in the said Great and General Court or Assembly, take the Oaths mentioned in an *Act of Parliament* made in the First Year of our Reign, entituled, *An Act for the Abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*: And thereby appointed to be taken instead of the Oaths of Allegiance and Supremacy: And shall make, repeat and subscribe the Declaration mentioned in the said Act, before the Governour, or Lieutenant or Deputy-Governour, or any Two of the Assistants for the time being, who shall be thereunto authorized and appointed by our said Governour. And that the Governour for the time being shall have full Power and Authority from time to time, as he shall judge necessary, to Adjourn, Prorogue and Dissolve all Great and General Courts or Assemblies met and conven'd as aforesaid. And our Will and Pleasure is, and we do hereby, for Us, our Heirs and Successors, grant, establish and ordain, That yearly, once in every Year for ever hereafter, the aforesaid number of Eight and twenty Coun-

The Names of the first Assistants.

To continue until *May*, 1693. and until others are chosen by the Assembly.

The Governour with seven Assistants to be a Council.

A general Court or Assembly to be held the last *Wednesday* in *May*, or oftener every Year.

Two Assembly-Men to be Chosen by the Freeholders in every Town.

The Governour has Power to Adjourn, Prorogue and Dissolve the Assembly.

The Governours Councillors to be Inhabitants or Proprietors of Land in New-England.

Judges, Sheriffs Justices, &c. to be appointed with the Consent of the Governours Council.

What Oaths are to be taken.

cellors or Assistants shall be by the General Court or Assembly newly chosen ; that is to say, Eighteen at least of the Inhabitants of, or Proprietors of Lands within the Territory formerly called the Colony of the *Massachusetts-Bay* ; and Four at the least of the Inhabitants of, or Proprietors of Lands within the Territory formerly called *New-Plimouth* ; and Three at the least of the Inhabitants of, or Proprietors of Lands within the Territory formerly called the *Province of Maine* ; and one at the least of the Inhabitants of, or Proprietors of Land within the Territory lying between the River of *Sagadahock* and *Nova Scotia*. And that the said Councillors or Assistants, or any of them, shall or may at any time hereafter be removed or displaced from their respective Places or Trust of Councillors or Assistants, by any Great or General Court or Assembly ; and that if any of the said Councillors or Assistants shall happen to die, or be removed, as aforesaid, before the General Day of Election, that then, and in every such Case, the Great and General Court or Assembly, at their first sitting, may proceed to a New Election of one or more Councillors or Assistants, in the room or place of such Councillors and Assistants so dying or removed. And we do further grant and ordain, That it shall and may be lawful for the said Governour, with the Advice and Consent of the Council or Assistants, from time to time, to nominate and appoint Judges, Commissioners of *Oyer and Terminer*, Sheriffs, Provosts, Marshals, Justices of the Peace, and other Officers, to our Council and Courts of Justice belonging. *Provided* always, that no such Nomination or Appointment of Officers be made without Notice first given, or Summons issued out seven days before such Nomination or Appointment, unto such of the said Councillors or Assistants as shall be at that time residing within our said Province. And our Will and Pleasure is, That the Governour, Lieutenant or Deputy-Governour and Councillors, or Assistants for the time being, and all other Officers to be appointed or chosen, as aforesaid, shall, before the undertaking the Execution of their Offices and Places respectively, take their several and respective Oaths for the due and faithful performance of their Duties in their several and respective Offices and Places ; and also the Oaths appointed by the said Act of Parliament made in the First Year of our Reign, to be taken instead of the Oaths of Allegiance and Supremacy ; and shall make, repeat and subscribe the said Declaration mentioned in the said Act, before such Person or Persons as are by these Presents herein after appointed : (That is to say,) The Governour of our said Province or Territory, for the time being, shall take the said Oaths, and make, repeat and subscribe the said Declaration before the Lieutenant, Deputy-Governour ; or, in his Absence, before any two or more of the said Persons hereby nominated and appointed the present Councillors or Assistants of our said Province or Territory, to whom we do by these Presents give full Power and Authority to give and administer the same to our said Governour accordingly. And after our said Governour shall be sworn, and shall have subscribed the said Declaration, that then our Lieutenant, or Deputy-Governour for the time being, and the Councillors or Assistants before by these Presents nominated and appointed, shall take the said Oaths, and make, repeat and subscribe the said Declaration before our said Governour : And that every such Person or Persons as shall (at any time of the Annual Elections, or otherwise, upon Death or Removal) be appointed to be the New Councillors or Assistants, and all other Officers to be hereafter chosen from time to time, shall take the Oaths to their respective Offices and Places belonging ; and also the said Oaths appointed by the said Act of Parliament, to be taken instead of the Oaths of Allegiance and Supremacy ; and shall make, repeat and subscribe the Declaration mentioned in the said Act, before the Governour, or Lieutenant-Governour, or any two or more Councillors or Assistants, or such other Person or Persons as shall be appointed thereunto by the Governour for the time being : To whom We do therefore by these Presents give full Power and Authority, from time to time, to give and administer the same respectively, according to our true meaning herein before declared, without any Commission, or further Warrant to be had and obtained from Us, our Heirs and Successors in that behalf. And our Will and Pleasure is, and we do hereby Require and Command, That all and every Person and Persons hereafter by Us, our

Heirs

Heirs and Successors, Nominated and Appointed to the respective Offices of Governour, or Lieutenant, or Deputy Governour, and Secretary of our said Province or Territory (which said Governour, or Lieutenant, or Deputy Governour, and Secretary of our said Province or Territory for the time being, We do hereby Reserve full Power and Authority to Us, our Heirs and Successors, to Nominate and Appoint accordingly) shall before he or they be admitted to the Execution of their respective Offices, take as well the Oath for the due and faithful Performance of the said Offices respectively, as also the Oaths appointed by the said Act of Parliament made in the said first Year of our Reign, to be taken instead of the said Oaths of Allegiance and Supremacy, and shall also make, repeat and subscribe the Declaration appointed by the said Act in such Manner, and before such Persons as aforesaid. And further Our Will and Pleasure is, and We do hereby for Us, Our Heirs and Successors, grant, establish and ordain, that all and every of the Subjects of Us, our Heirs and Successors, which shall go to and inhabit within our said Province and Territory, and every of their Children which shall happen to be born there, or on the Seas in going thither, or returning from thence, shall have and enjoy all Liberties and Immunities of Free and Natural Subjects within any of the Dominions of Us, our Heirs and Successors, to all intents, constructions and purposes whatsoever, as if they and every of them were born within this our Realm of *England* : And for the greater Ease and Encouragement of our loving Subjects, inhabiting our said Province or Territory of the *Massachusetts Bay*, and of such as shall come to inhabit there, We do by these Presents, for Us, our Heirs and Successors, grant, establish and ordain, that for ever hereafter there shall be a Liberty of Conscience allow'd in the Worship of God to all Christians (Except Papists) inhabiting or which shall inhabit or be resident within our said Province or Territory. And we do hereby Grant and Ordain, That the Governour, or Lieutenant or Deputy Governour of our said Province or Territory for the time being, or either of them, or any two or more of the Council or Assistants for the time being, as shall be thereunto appointed by the said Governour, shall and may at all times, and from time to time hereafter, have full Power and Authority to administer and give the Oaths appointed by the said Act of Parliament, made in the first Year of Our Reign, to be taken instead of the Oaths of Allegiance and Supremacy, to all and every Person and Persons which are now inhabiting or residing within our said Province or Territory, or which shall at any time or times hereafter go or pass thither. And we do of our further Grace, certain Knowledge and meer Motion, Grant, Establish and Ordain, for Us, our Heirs and Successors, that the great and general Court or Assembly of our said Province or Territory for the time being, Conven'd as aforesaid, shall for ever have full Power and Authority to Erect and Constitute Judicatories and Courts of Record, and other Courts, to be held in the Name of Us, our Heirs and Successors, for the Hearing, Trying and Determining of all and all manner of Crimes, Offences, Pleas, Processes, Plaints, Actions, Matters, Causes, and things whatsoever, arising or happening within our said Province or Territory, or between persons inhabiting or residing there, whether the same be Criminal or Civil, and whether the said Crimes be Capital or not Capital, and whether the said Pleas be real, personal or mixt, and for the awarding and making out of Execution thereupon : To which Courts and Judicatories, We do hereby, for Us, our Heirs and Successors, give and grant full Power and Authority from time to time to administer Oaths for the better discovery of Truth in any matter in Controversie, or depending before them. And We do for Us, our Heirs and Successors, Grant, Establish and Ordain, that the Governour of our said Province or Territory for the time being, with the Council or Assistants, may do, execute or perform all that is necessary for the Probate of Wills, and granting Administrations for, touching or concerning any Interest or Estate which any Person or Persons shall have within our said Province or Territory. And whereas we judge it necessary that all our Subjects should have Liberty to Appeal to Us, our Heirs and Successors in Cases that may deserve the same, We do by these Presents Ordain, that in Case either Party shall not rest satisfied with

The King reserves to himself Power to appoint the Governour, Deputy Governour, and Secretary.

Persons born in *New-England* to have the Priviledges of Natural Subjects of *England*.

Liberty of Conscience to be granted to all Christians except Papists.

The general Court has Power to erect Judicatories, to hear and determine concerning all manner of Crimes, capital or not capital ; and Pleas, whether real, personal or mixt.

Appeals to the
King in some
Personal Acti-
ons.

The general
Court has
Power to
make Laws,
not repugnant
to the Laws of
England.

To Name and
Settle Civil
Officers.

Power to im-
pose Taxes on
all the Inhabi-
tants, to be dis-
posed of War-
rant from the
Governour
and Council,
or according
to such Acts
as shall then be
in force.

The Conversi-
on of the *Indi-
ans* to be en-
deavoured.

the Judgment or Sentence of any Judicatories or Courts within our said Province or Territory in any personal Action, wherein the Matter in Defence doth exceed the Value of three hundred pounds Sterling, that then he or they may Appeal to Us, our Heirs and Successors, in our or their Privy Council, Provided that such Appeal be made within fourteen dayes after the Sentence or Judgment given; and that before such Appeal be allowed, security be given by the Party or Parties appealing, in the value of the matter in difference, to pay or answer the Debt or Damages for the which Judgment or Sentence is given, with such Costs and Damages as shall be awarded by Us, our Heirs or Successors, in Case the Judgment or Sentence be affirmed: And Provided also that no Execution shall be staied or suspended by reason of such Appeal unto Us, our Heirs and Successors, in Our or their Privy Council, so as the Party suing or taking out Execution, do in like manner give security to the Value of the matter in Difference, to make Restitution in Case the said Judgment or Sentence be Reversed or Annulled upon the said Appeal. And We do further, for Us, our Heirs and Successors, Give and Grant to the said Governour, and the great and general Court or Assembly of our said Province or Territory for the time being, full Power and Authority, from time to time, to Make, Ordain and Establish all manner of wholesome and reasonable Orders, Laws, Statutes and Ordinances, Directions and Instructions, either with Penalties or without (so as the same be not repugnant or contrary to the Laws of this our Realm of *England*) as they shall judge to be for the good and welfare of our said Province or Territory, and for the Government and Ordering thereof, and of the People inhabiting, or who shall inhabit the same, and for the necessary support and defence of the Government thereof. And We do for Us, our Heirs and Successors, give and grant, that the said General Court or Assembly shall have full Power and Authority to Name and settle Annually, all Civil Officers within the said Province, such Officers Excepted, the Election and Constitution of whom We have by these Presents reserved to Us, our Heirs and Successors, or to the Governour of our said Province for the time being; and to set forth the several Duties, Powers and Limits, of every such Officer to be appointed by the said General Court or Assembly, and the Forms of such Oaths not repugnant to the Laws and Statutes of this our Realm of *England*, as shall be respectively administred unto them for the Execution of their several Offices and Places; and also to impose Fines, Mulcts, Imprisonments, and other Punishments, and to impose and levy proportionable and reasonable Assessments, Rates and Taxes upon the Estates and Persons of all and every the Proprietors or Inhabitants of our said Province or Territory, to be issued and disposed of by Warrant under the Hand of the Governour of our said Province for the time being, with the Advice and Consent of the Council, for our Service in the necessary Defence and Support of our Government of our said Province or Territory; and the Protection and Preservation of the Inhabitants there, according to such Acts as are or shall be in force within our said Province, and to dispose of matters and things, whereby our Subjects, Inhabitants of our said Province, may be religiously, peaceably and civilly governed, protected and defended, so as their good Life and orderly Conversation may win the *Indians*, Natives of the Countrey, to the Knowledge and Obedience of the only true God and Saviour of Mankind, and the Christian Faith, which his late Majesty our Royal Grandfather King *Charles* the First, in his said Letters Patents declared was his Royal Intentions, and the Adventurers free Profession to be the principal End of the said Plantation. And for the better securing and maintaining Liberty of Conscience hereby granted to all Persons at any time being and residing within our said Province or Territory as aforesaid, Willing, Commanding and Requiring, and by these Presents, for Us, our Heirs and Successors, ordaining and appointing that all such Orders, Laws, Statutes and Ordinances, Instructions and Directions as shall be so Made and Published under our Seal of our said Province or Territory, shall be carefully and duely observed, kept and performed, and put in Execution according to the true intent and meaning of these Presents. Provided alwayes, and We do by these Presents, for Us, our Heirs and Successors, Establish and Ordain, that in the framing and passing of all such Orders,

ders, Laws, Statutes and Ordinances, and in all Elections and Acts of Government whatsoever, to be passed, made or done by the said General Court or Assembly, or in Council, the Governour of our said Province or Territory of the *Massachusetts Bay* in *New-England* for the time being, shall have the Negative Voice, and that without his Consent or Approbation signified and declared in Writing, no such Orders, Laws, Statutes, Ordinances, Elections, or other Acts of Government whatsoever, so to be made, pass'd or done by the said General Assembly or in Council, shall be of any force, effect or validity, any thing herein contained to the contrary in any wise Notwithstanding. And We do for Us, our Heirs and Successors, Establish and Ordain, that the said Orders, Laws, Statutes and Ordinances, be by the first opportunity after the making thereof, sent or transmitted unto Us, our Heirs and Successors, under the Publick Seal, to be appointed by Us, for Our or their Approbation or Disallowance. And that in Case all or any of them shall at any time within the space of three Years next after the same shall have been presented to Us, our Heirs and Successors, in our or their Privy Council, be disallowed and rejected, and so signified by Us, our Heirs and Successors, under our or their Sign Manual and Signet, or by Order in our or their Privy Council, unto the Governour for the time being, then such and so many of them as shall be so disallowed and rejected, shall thenceforth cease and determine, and become utterly void and of none effect. Provided alwayes, that in Case We, our Heirs or Successors, shall not within the term of three Years after the presenting of such Orders, Laws, Statutes or Ordinances, as aforesaid, signifie our or their Disallowance of the same, then the said Orders, Laws, Statutes or Ordinances, shall be and Continue in full Force and Effect, according to the true intent and meaning of the same, until the Expiration thereof, or that the same shall be repealed by the General Assembly of our said Province for the time being. Provided also, that it shall and may be lawfull for the said Governour and general Assembly to make or pass any Grant of Lands lying within the Bounds of the Colonies formerly called the Colonies of the *Massachusetts Bay*, and *New Plymouth*, and Province of *Main*, in such manner as heretofore they might have done by Vertue of any former Charter or Letters Patents; which Grants of Lands within the Bounds aforesaid, We do hereby Will and Ordain to be and continue of full Force and Effect, without our further Approbation or Consent. And so as nevertheless, and it is our Royal Will and Pleasure, that no Grant or Grants of any Lands lying or extending from the River of *Sagadahock*, to the Gulph of *St. Laurence* and *Canada Rivers*, and to the Main Sea Northward and Eastward, to be made or pass by the Governour and general Assembly of our said Province, be of any force, validity or effect, until We, our Heirs and Successors, shall have signified our or their Approbation of the same. And We do by these Presents for Us, our Heirs and Successors, grant, establish and ordain, that the Governour of our Province or Territory for the time being, shall have full power by himself, or by any chief Commander, or other Officer or Officers, to be appointed from time to time, to Train, Instruct and Govern, and Exercise and Govern the Militia there; and for the special Defence and safety of our said Province or Territory, to Assemble in Martial Array, and put in Warlike Posture the Inhabitants of our said Province or Territory, and to Lead and Conduct them, and with them to Encounter, Expulse, Repell, Resist and Pursue by Force of Arms, as well by Sea as by Land, within or without the Limits of our said Province or Territory, and also to kill, slay, destroy and conquer, by all fitting wayes, enterprizes and means whatsoever, all and every such Person and persons as shall at any time hereafter attempt or enterprize the destruction, invasion, detriment or annoyance of our said Province or Territory; and to use and exercise the Law Martial in time of actual War, Invasion or Rebellion, as occasion shall necessarily require; and also from time to time to erect Forts, and to Fortifie any Place or Places within our said Province or Territory, and the same to furnish with all necessary Ammunition, Provision and Stores of War, for offence or defence, and to commit from time to time, the Custody and Government of the same, to such person or persons as to him shall seem meet, and the said Forts and Fortifications to demolish at his pleasure, and to take and surprize

The Governour to have a Negative on the Acts of the Assembly.

Laws to be sent to England for the Royal Approbation: If not disallowed within three Years, to be in force until Repealed by the Assembly.

The general Court has Power to pass any grants of Land in *Massachusetts*, *Plymouth*, or the Province of *Main*.

Grants of Land between *Sagadahock* and *St. Laurence* to have the Royal Approbation.

The Governour to Command the Militia.

No Persons to be Transported out of the Province without their own Consent.

The Law-Martial not to be executed on any Inhabitant without the Consent of the Council.

In the absence of the Governour, the Deputy Governour to have the same Power.

In the absence of both the Governour and Deputy Governour, the major part of the Council to have their Power.

The Trade of Fishing not to be abridg'd.

by all wayes and means whatsoever, all and every such Person or Persons, with their Ships, Arms, Ammunition, and other Goods, as shall in a Hostile manner Invade, or attempt the Invading, Conquering or Annoying of our said Province or Territory. Provided alwayes, and We do by these Presents, for Us, our Heirs and Successors, Grant, Establish and Ordain, That the said Governour shall not at any time hereafter, by Vertue of any Power hereby granted, or hereafter to be granted to him, Transport any of the Inhabitants of our said Province or Territory; or Oblige them to March out of the Limits of the same, without their free and voluntary Consent, or the Consent of the great and general Court or Assembly of our said Province or Territory; nor grant Commissions for Exercising the Law Martial upon any the Inhabitants of our said Province or Territory, without the Advice and Consent of the Council or Assistants of the same. Provided in like manner, and We do by these Presents, for Us, our Heirs and Successors, Constitute and Ordain, That when and as often as the Governour of our said Province for the time being, shall happen to dye, or be displaced by Us, our Heirs or Successors, or be absent from his Government, that then and in any of the said Cases, the Lieutenant or Deputy Governour of our said Province for the time being, shall have full Power and Authority, to do and execute all and every such acts, matters and things, which our Governour of our said Province for the time being, might or could by Vertue of these our Letters Patents lawfully do or execute, if he were personally present, until the return of the Governour so absent, or Arrival or Constitution of such other Governour as shall or may be appointed by Us, our Heirs or Successors in his stead; and that when and as often as the Governour, and Lieutenant or Deputy Governour of our said Province or Territory for the time being, shall happen to dye, or be displaced by Us, our Heirs or Successors, or be absent from our said Province; and that there shall be no person within the said Province, Commissionated by Us, our Heirs or Successors, to be Governour within the same; then and in every of the said Cases, the Council or Assistants of our said Province shall have full Power and Authority, and We do hereby give and grant unto the said Council or Assistants of our said Province for the time being, or the major part of them, full Power and Authority to do and execute all and every such acts, matters and things, which the said Governour, or Lieutenant or Deputy Governour of our said Province or Territory for the time being, might or could lawfully do or exercise, if they or either of them were personally present, until the return of the Governour, or Lieutenant or Deputy Governour so absent, or Arrival or Constitution of such other Governour, or Lieutenant or Deputy Governour, as shall or may be appointed by Us, our Heirs or Successors from time to time. Provided alwayes, and it is hereby Declared, that nothing herein contained, shall extend or be taken to erect, or grant, or allow the exercise of any Admiral Court, Jurisdiction, Power or Authority, but that the same shall be, and is hereby reserved to Us and our Successors, and shall from time to time be erected, granted and exercised by Vertue of Commissions to be issued under the Great Seal of *England*, or under the Seal of the High Admiral, or the Commissioners for Executing the Office of High Admiral of *England*. And further, Our expresse Will and pleasure is, and We do by these presents, for Us, our Heirs and Successors, ordain and appoint that these our Letters Patents shall not in any manner Enure, or be taken to abridge, barr or hinder any of our loving Subjects whatsoever; to use and exercise the Trade of Fishing upon the Coasts of *New-England*, but that they and every of them shall have full and free Power and Libertie to continue and use their said Trade of Fishings upon the said Coasts, in any of the Seas thereunto adjoyning, or any Arms of the said Seas or Salt-water Rivers where they have been wont to Fish; and to build and set upon the Lands within our said Province or Colony, lying waste, and not then possess'd by particular Proprietors, such Wharfs, Stages and Work-houses, as shall be necessary for the salting, drying, keeping and packing of their Fish, to be taken or gotten upon that Coast, and to cut down and take such Trees and other Materials there growing, or being upon any parts or places lying waste, and not then in possession of particular Proprietors, as shall be needfull for that

that purpose, and for all other necessary easements, helps and advantages, concerning the said Trade of Fishing there, in such manner and form as they have been heretofore at any time accustomed to do, without making any wilfull waste or spoil, any thing in these Presents contained to the contrary notwithstanding. And Lastly, for the better providing and furnishing of Masts for our Royal Navy, We do hereby reserve to Us, our Heirs and Successors, all Trees of the Diameter of twenty four Inches, and upwards of twelve Inches from the ground, growing upon any Soil or Tract of Land within our said Province or Territory, not heretofore granted to any private Persons: And We do restrain and forbid all Persons whatsoever from felling, cutting or destroying any such Trees, without the Royal License of Us, our Heirs and Successors, first had and obtained, upon Penalty of Forfeiting One Hundred Pounds Sterling unto Us, our Heirs and Successors, for every such Tree so felled, cut, destroyed, without such License had or obtained in that behalf, any thing in these Presents contained to the contrary in any wise Notwithstanding. *In Witness* whereof, We have caused these our Letters to be made Patents. Witness Our Selves at *Westminster*, the seventh day of *October*, in the Third Year of Our Reign.

Trees fit for
Masts, not
growing upon
any Soil grant-
ed to particu-
lar Persons, to
be preserved.

By Writ of Privy Seal.

*True Copy Examined according
to the Original by*

P I G O T.
